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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,466	02/09/2001	Jason Bowser	57654-014	6186

7590 01/12/2004

SAMUEL W. APICELLI
DUANE MORRIS, LLP
305 NORTH FRONT STREET
P.O. BOX 1003
HARRISBURG, PA 17108-1003

EXAMINER

HAVAN, THU THAO

ART UNIT	PAPER NUMBER
2672	15

DATE MAILED: 01/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/782,466

Applicant(s)

BOWSER ET AL.

Examiner

Thu-Thao Havan

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- ☐ Interview Summary (PTO-413) Paper No(s). _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Arguments

Claims **1-20** are pending in the present application.

Applicant's arguments filed September 29, 2003 have been fully considered but they are not persuasive.

Applicant refers to an affidavit as meeting the prior filing date of prior art Ange (US patent no. 6,121,963). However, upon a closer look, Examiner found that Ange has a provisional application (60/117,685) dated back to January 29, 1999. The provisional application date of Ange (January 29, 1999) is prior to the affidavit date of August 29, 1999. Thus, the prior art (Ange) is still a valid prior art and the rejection is maintained as addressed below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims **1-8 and 14-20** are rejected under 35 U.S.C. 102(e) as being unpatentable by Ange (US patent no. 6,121,963).

Re claim **1**, Ange teaches a method for generating multi-image video streams comprising providing a source of images (col. 2, lines 51-57), selecting some but not all of the images of interest in accordance with a predetermined criteria for subsequent

Art Unit: 2672

sequential display (col. 2, lines 57-67), stitching together the selected images to form a sequence of images (col. 7, lines 5-16; col. 3, lines 13-49), generating a video data stream from the selected images (col. 3, lines 50-64), configuring the video data stream in a format displayable in a browser without the use of plug-ins (col. 6, lines 57-64). In other words, Ange teaches a virtual theater's design integrated within a computer environment in relation to displaying different movies. A selected movie is displayed for the viewer in a virtual theater. In that a Java-based streaming video product was selected for the video screening because it didn't require a browser plug-in to view the video. Thus, a rectangle graphic was created in a separate file as a template for extracting a curtain segment of the Virtual Theater Scene having the dimensions of the video window size. The rectangle graphic is to be used as a copy/cut/edit template for the stage curtain graphic.

Re claim 2, Ange teaches a video camera is used to provide a source of images (col. 2, lines 58-67). In other words, Ange teaches a multimedia video proving a source of images such as different movies.

Re claim 3, Ange teaches a series of still frame images are used to provide a source of images (figs. 3a-3ee). Figures 33a to 3ee of Ange disclose the still frame images.

Re claim 4, Ange teaches a plurality of drawings are used to provide a source of images (col. 17, line 18 to col. 58).

Art Unit: 2672

Re claim 5, Ange teaches number of images selected is based on the total number of images in the source of images (col. 13, line 13 to col. 16, line 41). In other words, Ange teaches the column table discloses the total number of images created.

Re claim 6, Ange teaches total number of images selected is based on a fixed time interval (col. 9, line 40 to col. 10, line 60). Ange teaches fixed time interval when he discloses the time line for the presentation of the video stream.

Re claim 7, Ange teaches video stream is displayed using JavaScriptTM (col. 5, lines 27-47). In other words, Ange teaches the virtual theater motif into the web page's background as a solid graphic and then embedding the presentation file into an HTML web page as an image or an applet using Javascript.

Re claim 8, Ange teaches source of images represents one full rotation of an object of interest (col. 3, lines 22-64). In other words, Ange discloses the full rotation of an object when he discloses the movement of the desired position of the presentation file.

Re claim 14, Ange a method for distributing image data to an end-user over a network (col. 19, line 22 to col. 20 line 3) comprising establishing a video sequence illustrating an item (col. 2, lines 42-67), providing a database searchable by an end user (col. 3, line 6 to col. 5, line 51; fig. 2), storing the video sequence as a binary large object in a cell of the database (col. 5, lines 58-65), displaying the video sequence when the cell wherein the sequence is stored is accessed by the end user (col. 7, line 5 to col. 9, line 40; col. 19, line 23 to col., 20, line 3). In other words, Ange teaches a virtual theater's design integrated within a computer environment in relation to displaying

Art Unit: 2672

different movies. A selected movie is displayed for the viewer in a virtual theater. In that a Java-based streaming video product was selected for the video screening because it didn't require a browser plug-in to view the video. Thus, a rectangle graphic was created in a separate file as a template for extracting a curtain segment of the Virtual Theater Scene having the dimensions of the video window size. The rectangle graphic is to be used as a copy/cut/edit template for the stage curtain graphic. The editing template allows the user to search for a particular movie to be viewed in the virtual theater.

Re claim **15**, Ange teaches a method for viewing sequences of images displayed in a browser window (col. 2, line 27 to col. 4, line 10), independently of plug ins (col. 6, lines 57-64) comprising providing a plurality of images of an object (col. 17-18), establishing a window having a plurality of zones (col. 7, lines 5-54), associating with at least a plurality of zones one of the plurality of images (col. 11, line 18 to col. 12, line 51), causing the image associated with each zone to be displayed when a control device moves across the associated zone (col. 4, line 49 to col. 6, line 56). In other words, Ange teaches a virtual theater's design integrated within a computer environment in relation to displaying different movies. A selected movie is displayed for the viewer in a virtual theater. In that a Java-based streaming video product was selected for the video screening because it didn't require a browser plug-in to view the video. Thus, a rectangle graphic was created in a separate file as a template for extracting a curtain segment of the Virtual Theater Scene having the dimensions of the

video window size. The rectangle graphic is to be used as a copy/cut/edit template for the stage curtain graphic.

Re claim **16**, Ange a sound clip associated with the video sequence is stored in a cell associated with the video, and is played in conjunction with the display of the video (col. 3, lines 13-64; col. 10, lines 61-66).

Re claim **17**, Ange teaches a digital rights management method for limiting the ability of an end-user to generate output files (col. 7, line 5 to col. 9, line 40; col. 19, line 23 to col., 20, line 3) comprising generating integers on a server computer (col. 1, lines 12-44), combining one or more integers with a license key (col. 1, lines 45 to col. 2, line 41), encrypting by tagging and erasing the license key (col. 11, line 19 to col. 12, line 51). In other words, Ange teaches a virtual theater's design integrated within a computer environment in relation to displaying different movies. A selected movie is displayed for the viewer in a virtual theater. In that a Java-based streaming video product was selected for the video screening because it didn't require a browser plug-in to view the video. Thus, a rectangle graphic was created in a separate file as a template for extracting a curtain segment of the Virtual Theater Scene having the dimensions of the video window size. The rectangle graphic is to be used as a copy/cut/edit template for the stage curtain graphic. The editing template allows the user to search for a particular movie to be viewed in the virtual theater. In addition, the computer system of Ange consists of encrypting and unique id permitting the users to select a particular movie.

Re claim **18**, Ange teaches one license key is used for each output file generated (col. 11, line 19 to col. 12, line 51). Ange teaches a unique id for the cell table in relation the each movie to be scripted. Thus the unique id is a type of license key.

Re claim **19**, Ange teaches control device is a mouse (col. 1, lines 12-25; col. 7, line 60 to col. 8, line 10). In other words, Ange teaches a system under the control of a computer and a computer is well known to have a mouse as a device to control its functionalities.

Re claim **20**, Ange teaches control device is a soft button on the display (col. 2, lines 7-26; col. 15-16; col. 1, lines 12-25). Ange teaches the button is the same button as present in a VHS video thus giving the viewer the option to re-play portions of the multimedia images.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims **9-13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ange (US patent no. 6,121,963) in view of Kenner et al. (US patent 5,956,716).

Re claim **9**, Ange teaches the steps of providing a plurality of images of moving object (col. 2, lines 51-57), transmitting the images as a digital data stream to an editor and capturing the digital data stream at the editor (col. 1, lines 12-25; col. 7, line 17 to col. 8, line 53), parsing the digital data stream into a series of images (col. 2, lines 57-

Art Unit: 2672

67), configuring the video for distribution over the internet without the use of pug-ins (col. 6, lines 57-64). In other words, Ange teaches a virtual theater's design integrated within a computer environment in relation to displaying different movies. A selected movie is displayed for the viewer in a virtual theater. In that a Java-based streaming video product was selected for the video screening because it didn't require a browser plug-in to view the video. Thus, a rectangle graphic was created in a separate file as a template for extracting a curtain segment of the Virtual Theater Scene having the dimensions of the video window size. The rectangle graphic is to be used as a copy/cut/edit template for the stage curtain graphic. Furthermore, Ange's system is in computer having photoshop's layers window for editing and cutting the necessary images.

Ange fails to teach video clips (col., lines). However, Kenner teaches video clips (col. 4, line 36 to col. 6, line 60; figs. 2-3). He teaches a user requests a desired video clip, the request is processed by a primary index manager. In that the local retrieval unit checks its storage to see whether the requested video clips are available locally. It would have been obvious for one of ordinary skill in the art to combine the video clips of Kenner to the system of Ange because it would have enable a distributed computer system or network whereby video clips and text information, stored locally and at a remote location, can be requested and viewed at a user's multimedia terminal (Kenner col. 4, line 36 to col. 6, line 60).

Re claim **10**, Ange teaches capturing step interfaces directly to an API (col. 1, line 55 to col. 2, line 41).

Art Unit: 2672

Re claim **11**, Kenner teaches adding metadata into the video clip (col. 4, lines 36-64). In other words, Kenner teaches video clip storage and retrieval system whereby the user receives comprehensive data collected from one or more databases.

Re claim **12**, Kenner teaches metadata may be used for searching (col. 4, lines 43-64). The request unit of Kenner is used for searching.

Re claim **13**, Ange teaches editor is a personal computer (col. 1, lines 12-25; col. 7, line 17 to col. 8, line 53). In other words, Ange's system is in computer having photoshop's layers window for editing and cutting the necessary images.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2672

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu-Thao Havan whose telephone number is (703) 308-7062. The examiner can normally be reached on Monday to Thursday from 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (703) 305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

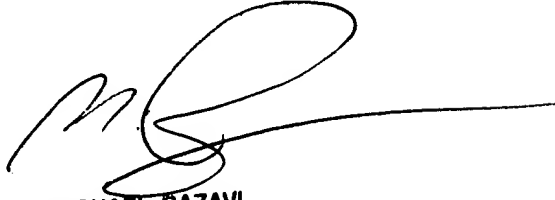
or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Thu-Thao Havan
Art Unit: 2672
December 30, 2003



MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600